

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION**

IN RE:

**CHARLES RAYMOND ROGERS, 3RD,

DEBTOR**

**CASE NO. 25-00687-5-DMW
CHAPTER 13**

TRUSTEE'S MOTION TO DISMISS

NOW COMES S. Troy Staley, duly appointed Chapter 13 Trustee in the above-referenced matter, and hereby motions to dismiss the instant case for the following:

1. Debtor has failed to appear at the § 341(a) Meeting of Creditors in accordance with 11 U.S.C. §§ 341 and 343, and 1307(c).
2. Debtor has failed to commence and/or maintain timely plan payments in accordance with 11 U.S.C. §§ 1307(c)(4), 1326(a)(1); and EDNC LBR 4002-1(g)(2)
3. Debtor has failed to provide copies to the Trustee of the most recently filed Tax Returns in accordance with 11 U.S.C. §§ 521(e)(2)(A)(i), 1307(c), and EDNC LBR 4002-1(a)(2).

WHEREFORE, the Trustee prays the Court to enter an order GRANTING the instant Motion and for such additional or alternative relief as to the Court may seem appropriate. In the alternative, the Trustee requests a hearing.

Dated: May 9, 2025

/s/ S. Troy Staley
S. TROY STALEY
Chapter 13 Trustee
N.C. State Bar No. 43229
Post Office Box 1618
New Bern, North Carolina 28563-1618
(252) 633-0074
chapter13@ednc13.com

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA**

IN RE:

**CHARLES RAYMOND ROGERS, 3RD,

DEBTOR**

**CASE NO. 25-00687-5-DMW
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NOTICE OF TRUSTEE'S MOTION

The Chapter 13 Trustee has filed papers with the Court requesting dismissal of the instant case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the Court to consider your views on the motion, then within twenty-one (21) days from the date of this notice, unless otherwise ordered, you or your attorney must file with the Court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at: **Clerk, U.S. Bankruptcy Court, Post Office Box 791, Raleigh, NC 27602.**

If you mail your response to the Court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must also mail a copy to: **S. Troy Staley, Chapter 13 Trustee, Post Office Box 1618, New Bern, NC 28563-1618.**

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: May 9, 2025

/s/ S. Troy Staley
S. TROY STALEY
Chapter 13 Trustee
N.C. State Bar No. 43229
Post Office Box 1618
New Bern, North Carolina 28563-1618
(252) 633-0074
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CERTIFICATE OF SERVICE

I, S. Troy Staley, do hereby certify that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on the date indicated herein below, I served copies of the foregoing TRUSTEE'S MOTION TO DISMISS by depositing a copy of the same in a postage-paid envelope with the United States Postal Service or by electronic means, as indicated.

Christian B Felden
Attorney for Debtor

(via CM/ECF)

Charles Raymond Rogers, 3rd
1626 NC Hwy 133
Rocky Point, NC 28457
Debtor

(via U.S. Postal Service)

DATED: May 9, 2025

/s/ S. Troy Staley
S. TROY STALEY
Chapter 13 Trustee
N.C. State Bar No. 43229
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